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Letter dated 28 September 2006 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

The Counter-Terrorism Committee has received the attached report of Serbia submitted pursuant to resolution 1624 (2005) (see annex). I would be grateful if you could arrange for the present letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Ellen Margrethe **Løj**
Chairman
Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

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Annex

Note verbale dated 27 September 2006 from the Permanent Mission of Serbia to the United Nations addressed to the Chairman of the Counter-Terrorism Committee

The Permanent Mission of the Republic of Serbia to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism and has the honour to transmit the report of the Republic of Serbia on the implementation of Security Council resolution 1624 (2005) (see enclosure).

Enclosure

Report of the Republic of Serbia on the implementation of Security Council resolution 1624 (2005)

Security Council resolution 1624 (2005) has given the world Organization a powerful tool to fight terrorism at all levels. Its operative paragraphs provide a solid basis for a legal definition of the fight at the State level.

Resolution 1624 is yet another effort among many made by the United Nations and its organs and bodies in the fight against terrorism and provides a comprehensive strategy to prevent and combat one of the most important international problems. The relevant policy of the Republic of Serbia is fully in step with the international efforts made in this field and is consistently implemented by its competent authorities. From the formal legal point of view, the Republic of Serbia has already implemented the elements of UNSC resolution 1624 related to the criminalization of terrorism.[1]

The Fifth Regional Ministerial Conference on Illegal Migration, Organized Crime, Corruption and Terrorism, held at Brdo kod Kranja, on 27 and 28 October 2005, and the signing of a Joint Declaration provided an opportunity for the Republic of Serbia to present its policy and role in the fight against international crime. In addition to the important progress made in the fight against terrorism and other forms of international crime, one of the salient features of the policy and the role has been Serbia's activity in the legislative field. Responding, among others, to the country's obligations under resolution 1624 (2005), the Serbian parliament adopted a new *Criminal Code* which entered into force on 1 January 2006. Recently, a new *Police Law* was adopted with the same goal in mind. Likewise, Serbia's efforts to meet the requirements for integration into European processes, which include the reform of the police as an important factor in the fight against international crime and the setting of policing principles, standards and goals, are instrumental in implementing the resolution, too.

The establishment of an effective mechanism to collect information on illegal migrants in accordance with EURODAC standards is one of the above requirements and falls very much in line with the obligation of United Nations Member States to find and deny safe haven to persons supporting and/or committing terrorist acts (cf. resolution 1624 (2005), operative paragraph 1 (c)).

Serbia's other reform projects at the final preparatory stage that fall within the competence of the Ministry of Internal Affairs and are of relevance to the

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[1] *The Basic Criminal Law*, Art. 23 (*Official Journal of the Republic of Serbia*, No. 39/2003) provides for the imprisonment of anyone who intentionally incites another person to commit a terrorist act (cf. resolution 1624 (2005), operative paragraph 1 (a), calling for the adoption of measures to prohibit by law incitement to commit a terrorist act). As Arts. 125 and 155a of the *Basic Criminal Law* make terrorism a criminal offence, Art. 23 of the said *Law* is applicable to any person who incites the commission of terrorist acts.

The Basic Criminal Law, Art. 134, para. 1, provides for the punishment of any person who incites and stirs up ethnic, racial or religious hatred, discord or intolerance among peoples and ethnic minorities in the Republic of Serbia (cf. resolution 1624 (2005), operative paragraph 3, calling for the adoption of measures to counter incitement of terrorist acts motivated by extremism and intolerance against members of different religions and cultures).

implementation of the resolution include the *Asylum Law*, the *Law on the Monitoring of the State Border* and the *Law on Identity Cards*.

The *Asylum Law* has been drafted to conform to relevant international conventions and is designed to make an organic whole with the recently adopted *Asylum Law* of the former state union of Serbia and Montenegro. The new *Law on Border Management*, also at the preparatory stage, is meant to provide normative regulation for integrated border management, the aim of which is to prevent transnational crime and to protect the state border.

Of particular importance for the compliance with the obligations under the said resolution is the adoption of the new *Law on Identity Cards*. One of the reform projects of the Ministry of Internal Affairs, the *Law* is very important not only for the exercise of recognized human rights, but also as part of the overall international efforts in the fight against terrorism in which an accurate, credible and quick identification of individuals is fundamental. It is also meant to help combat fraudulent travel documents, a frequent recourse of choice of terrorists and terrorist organizations.

Proper internal organization of the Ministry of Internal Affairs is also contributory to the fight against terrorism and other forms of international crime. The recent act on internal organization of September 2005 set up legal and organizational preconditions for performing the Ministry's competences in an effective fashion. The efforts of the Ministry to improve international police cooperation in the fight against terrorism, particularly its personnel training and education programmes and material and technical equipment, are carried out with the same goal in mind.